

PEER Joins TEC and Citizen to Save Black Swamp From "Improvement"

In August 2003 PEER and the Tennessee Environmental Council joined the efforts of long-time wetland conservationist Chester McConnell to challenge a permit to flood



Black Swamp in NW Tennessee. The plan was to build a levee around this natural, high quality wetland to create more open water to attract ducks for hunters. The opponents and experts in the state agencies involved argued it wouldn't work and would degrade this natural resource.

Left: Stand of Cypress trees in Black Swamp
photo by Kathy Krone, State Gazette, Dyersbury, TN

In December, the governor's office got involved and arranged for a new review of the matter by an outside expert. See story below from the Memphis paper:

~~~~~

from [Memphis]

### *Commercial Appeal*

## Governor asks for review of duck-hunting reservoir

By Tom Charlier

December 13, 2003

Gov. Phil Bredesen has called for an independent review of a proposed duck-hunting reservoir in West Tennessee that state water-quality regulators authorized despite intense opposition from environmentalists.

A letter sent to two agencies by Robert E. Cooper Jr., legal counsel to the governor, cites environmental concerns about the project and says Bredesen wants officials to find a "solution that all parties can agree to."

Last summer, after years of wrangling, the state Department of Environment and Conservation issued a permit to the Tennessee Wildlife Resources Agency for a green-tree reservoir that would seasonally inundate up to 845 acres of forest on the South Fork Obion River. The Obion County site, known as Black Swamp, lies about 100 miles northeast of Memphis.

TWRA officials contend the project is needed to provide the public hunting facility promised to West Tennessee sportsmen in the settlement of a lawsuit that blocked federal flood-control work that was draining wetlands. Proponents say the reservoir will be carefully managed to avoid damage to the forest.

But longtime conservationist Chester McConnell, along with the Tennessee Environmental Council and the Public Employees for Environmental Responsibility,

appealed the permit decision to the Tennessee Water Quality Control Board. They say the project will kill trees.

The letter urges both agencies to conduct an independent review of the project. The review might support the permit decision or point to the need for an alternative plan. Will Callaway, executive director of the Tennessee Environmental Council, said, "The governor clearly understands there may have been problems with the permit."

TWRA executive director Gary Myers, citing suggestions of improprieties surrounding the state decision, said the review could restore credibility to the permit process and "lay all the facts out on the table."



Ferns in Black Swamp - photo by Krone



Chester McConnell (left) and Will Callaway (TEC Exec Dir) in swamp - photo by Krone

~~~~~  
From Memphis Commercial Appeal

Editorial January 10, 2004

A wetlands reprieve

PROTECTION OF wetlands should be among the top priorities of federal and state governments in the effort to conserve natural resources and protect ground water sources. There have been positive developments at both levels.

In Washington, the Bush administration has reversed course and decided not to revise enforcement of the Clean Water Act to conform to a 2001 Supreme Court ruling. Justices said in that case that protections in the Clean Water Act did not extend to isolated wetlands that provided habitat for migratory birds.

The administration had planned to capitalize on the ruling with new Environmental Protection Agency and Corps of Engineers guidelines that would have opened up some 20 million acres of wetlands for new development.

Public and congressional reaction to the plan was swift and overwhelming. The administration wisely reconsidered.

In Nashville, Gov. Phil Bredesen's call for an independent review of a proposed "green-tree reservoir" in West Tennessee has given new hope to conservationists that legitimate environment concerns are being taken seriously by the new administration.

The proposed reservoir has long been sought by duck-hunting enthusiasts confident that building an 860-foot levee and flooding 845 acres of forest on the South Fork Obion River would greatly enhance their prospects in West Tennessee.

The \$150,000 project is similar to manufactured swamps that have compiled a mixed record, however, sometimes killing trees and often achieving only short-term results for duck hunters.

The so-called "Black Swamp" project in Obion County was once thought to be a dead issue, but it was revived by the Sundquist administration during its last few weeks in office.

The governor's legal counsel has now put the brakes on the project and asked state agencies and other stakeholders to find a "solution that all parties can agree to."

The move gives environmentalists a chance to present evidence that the project would do more harm than good. Some have asked the Tennessee Water Quality Control Board to look closely at the question of whether the levee would destroy hundreds of acres of large tupelo and cypress trees.

Proponents can still make their case: that the reservoir will be managed in a way that avoids damage to the forest.

A thorough review of the project would give the public the assurance that each side of this argument has been given a fair chance to state its case.

Source:

http://www.gomemphis.com/mca/todays_editorial/article/0,1426,MCA_537_2565149,00.html

~~~~~



Tupelo trees in Black Swamp - photos by Krone